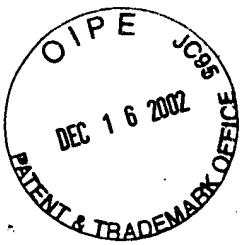


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#9

**PETITION UNDER 37 CFR 1.181(A) WITHDRAW THE HOLDING OF
ABANDONMENT AND 1156 O.G. 53 WITHDRAWING THE HOLDING OF
ABANDONMENT WHEN OFFICE ACTIONS ARE NOT RECEIVED**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wayne M. Slagle Examiner: Paul T. Chin
Serial No.: 09/473/194 Group Art Unit: 3652
Filed: 12/06/1999 Docket: 108895-126082
Title: DUMWAITER ELEVATING AND LOWERING PLATFORM

Box DAC
Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

Please accept this petition to withdraw the holding of abandonment of Patent Application 09/473,194; Slagle, Filing Date December 6, 1999. The application became abandoned due to the Office sending the Office action dated April 2, 2002 to the Applicant rather than the Applicant's attorney. The Office action was not mailed to the attorney of record as evidenced by the address provided on the Office communication cover sheet, which is attached for your review.

Examiner Mr. Paul Chin phoned me, the attorney of record, on October 30, 2002, as to the disposition of the now abandoned application. There is no record in our office that we had received an Office action, dated April 2, 2002, evidenced by a search of the file jacket and docket records. Upon further review by Mr. Chin, it was discovered that the Office action was mailed to Applicant's home address by mistake. Applicant's attorney, therefore, had no notice that an Office action was mailed, and therefore could not advise Applicant as to an appropriate response.

The correspondence address for the attorney of record was provided in the DECLARATION AND POWER OF ATTORNEY, filed December 6, 2001, a copy of which is attached for your review. This filing was made along with the response to the first Office action, dated June 6, 2001. Therefore, suitable notice was provided to the Office as to the change of correspondence address. This petition is also accompanied by a response to the office action dated April 2, 2002.

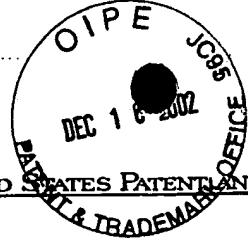
Thank you for your attention and I look forward to further prosecution of this application.

Sincerely,

Paul Forstenbacher, Reg. No. 42,546

10/30/02 14:01 FAX

002



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/473,194	12/06/1999	WAYNE M. SLAGLE		9698

7590 04/02/2002

WAYNE M SLAGLE
1228 N E 193RD AVENUE
PORTLAND, OR 97230

[REDACTED] EXAMINER

CHIN, PAUL T

[REDACTED] ART UNIT [REDACTED] PAPER NUMBER

3652

DATE MAILED: 04/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



RECEIVED
OCT 11 2003
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C:\My Documents\DATA\Slagle.wpd

DECLARATION AND POWER OF ATTORNEY

I am the sole inventor and sole owner of the application for patent entitled DUMB WAITER ELEVATING AND LOWERING PLATFORM DEVICE, the specification of which was filed 12/06/99 and issued U.S. Serial No. 09/473,194.

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Robert L. Harrington, Registration No. 20,994 and Paul J. Fordenbacher, Registration No. 42,546. I further appoint this same attorney to file and prosecute on my behalf corresponding applications in all countries of the world and in particular to file and prosecute on my behalf a corresponding application with the office of the Patent Cooperation Treaty. Address all telephone calls to: (503) 796-3735. Address all correspondence to: 1211 S.W. Fifth Avenue, Suite 1920, Portland, OR 97204-3713.

INVENTOR'S SIGNATURE

Residence: Portland, OR
Citizenship: United States
Post Office Address:
1228 N.E. 193rd Avenue
Portland, OR 97230

Wayne M. Slagle
WAYNE M. SLAGLE

Date: 12-3-01